PART III—Section 3

NOTIFICATIONS RELATING TO LOCAL SELF-GOVERNMENT

MUNICIPAL AND LOCAL BOARDS.

No. L. 6866—*Ml.* 49-32-13, *dated* 26—27*th April* 1933.

Under section 17 of the Mysore Municipal Regulation No. VII of 1906, as amended from time to time, the term of the Tumkur Town Municipal Council, reconstituted for a period of three years with effect from 1st August 1930, in Notification No. L. 1078—Ml. 57-30-11, dated the 31st July 1930, is extended till the end of December 1933, in view of the impending revision of the strength of the Municipal Council under the new Town Municipal Regulation which is shortly to come into force.

No. L. 6868—*Ml.* 49-32-14, *dated* 27*th April* 1933.

Under section 18 of the Municipal Regulation of 1906 as amended from time to time and the rules framed hereunder, Mr. Marula Mari is appointed as a Member of the Municipal Council, Chiknaikanhalli, in place of Mr. Matada Siddiah, deceased.

No. L. 6804—*Ml.* 275-32-8, *dated* 27*th April* 1933.

In modification of Notification No. L. 5921—Ml., dated 13th March 1933, the Government of His Highness the Maharaja are pleased to direct that the Mysore Amusements Tax Regulation, VIII of 1932, shall come into force in the Cities of Mysore and Bangalore, in the Kolar Gold Fields Sanitary Board Area, and in the Towns of Kolar, Tumkur, Hassan, Chikmagalur, Chitaldrug, Davangere and Shimoga, from the first day of July 1933.

By Order,
H. V. RAMASVAMI,
Secretary to Government,
General Department

BANGALORE CITY MUNICIPALITY.

Notice, dated 22*nd March* 1933.

Notice is hereby given that sealed tenders for the right of collecting tolls for one year from 1st July 1933 to 30th June 1934 on vehicles and animals entering Bangalore City at the toll-gates noted in schedule A (attached) will be received by the Municipal Commissioner in the Municipal Office on 17th May 1933 from 12 noon to 4 P.M.

2. Every tenderer is required to deposit as earnest money along with his tender a sum of Rs. 6,000 in cash or currency notes. The earnest money will be adjusted towards the deposit required under para 5 of this Notification. The earnest money of the remaining tenderers will be returned soon after the disposal of the tender.

3. The Municipal Council reserves to itself the right of refusing or accepting the highest or any other tender that may be offered without assigning any reasons.

4. Partnership in the contract is allowed if duly declared in the tender on condition that each partner is jointly and severally responsible for the whole amount of tender.

5. The successful tenderer shall within fifteen days of the receipt of the intimation of acceptance of his tender, deposit an amount equal to two monthly instalments as security for the due performance of the contract and execute on a duly stamped paper an agreement binding himself and his heirs, etc., to observe the conditions hereinafter set forth and to be subject to the penalties forfeitures and liabilities referred to therein, and when he does not hold any property in Mysore, shall furnish at least two sureties who own sufficient property in the Mysore State for the due performance of the contract and if he is a non-resident foreigner he shall also be deemed to have agreed to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decree, *ex parte* or otherwise that may be passed against him by such court for any sum due in respect of the contract amount. The deposit of the successful tenderer will be returned only on fulfilment of contract period and the conditions of the contract by the contractor.

6. Failure to comply with any of the aforesaid conditions subject to which the tender is received or withdrawal or cancellation of the tender by the tenderer shall render the deposit liable to forfeiture and the contract liable to resale at the risk of the contractor or tenderer.

7. Subject to the terms of the Bond referred to in para 5, the successful tenderer is empowered to recover tolls in the manner prescribed by sections 59, 78 and 79 of the Municipal Regulation, VII of 1906 and amendments thereto, and the Bye-Laws relating to tolls thereunder on his own responsibility and at his own cost. The contractor is bound to pay the full contract amount in *nine* equal consecutive monthly instalments, the first instalment being due by the 5th July 1933 and subsequent instalments on or before the 5th of each succeeding month.

8. If the instalments are not paid regularly as prescribed above, the contract will be resold or otherwise disposed of at the option of the Municipal Council, and all losses accruing therefrom will have to be made good by the defaulting contractor.

9. Interest at 12 per cent per annum will also be charged on any instalment that is not paid on or before the prescribed date.

10. The contractor shall collect tolls only at the rates and at the gates and on incoming traffic only in the manner specified in schedules A and B.

11. The contractor will be bound to refund to the Municipal Council so much of the amount as he might have collected on vehicles and animals exempted from payment of tolls on production of a certificate from any or all of the authorities specified in the note under this notification.

12. He will also be bound to pay to the Municipality all excess revenue that may be collected owing to the imposition of any additional toll on fresh animals and vehicles or enhancement of present rate of toll for which purpose he should maintain a separate and correct account.

13. The contract shall not be transferred by sale gift or otherwise without the express consent of the Municipal Council and where such consent is given, the original or principal contractor shall nevertheless remain jointly with the transferee responsible for all amounts due under the contract.

14. The contractor will have the use of one of the rooms of the existing gates and the toll houses that have two rooms and he will be required to keep them in good and substantial repair and condition at his own cost and shall not use them otherwise than for collecting tolls. At gates where there is a toll house with only one room and where there are no toll houses, the contractor will put up a shed at his cost, and remove the same immediately on the termination of the period of contract.

15. The carts of the Municipal Manure Contractors coming from outside municipal limits will be exempted from payment of toll.

16. The amount due from the contractor and his sureties shall be recoverable as arrears of municipal revenue under the provisions of the Municipal Regulation and rules thereunder.

17. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

18. The contractor shall keep at the toll-gate true accounts of daily collections and of the traffic passing through the toll-gate and shall also bind himself to maintain at his own cost a resident mutsaddi at each toll-gate. These accounts shall be open to the inspection of the Municipal Commissioner, Octroi Superintendent or other persons authorised by him. He shall if required by the Commissioner furnish the municipal office at the end of every month a true return for the month showing the traffic passing through the gate in the prescribed form.

19. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatsoever.

20. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book wherein travellers may record complaints and forward true extracts thereof once a week to the Municipal Commissioner through the Octroi Superintendent.

21. The contractor shall conform to the rules in force. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

22. Toll bars, chains or ropes put up by the contractor should be allowed to be used by the Municipal Octroi Mutsaddies or peons to enable the vehicles being stopped for the inspection of dutiable articles.

23. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or part thereof at the discretion of the Commissioner. In the event of the instalments or other sums due not being paid within the due date it shall be competent to the Municipal Council to stop further collection of toll by the contractor and dispose of the right to collect toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who will be liable to make good all the losses accruing by such resale but shall not be entitled to any profits arising from the resale.

24. In matters relating to the performance of the contract not expressly provided for the contractor shall be bound by the orders of the Municipal Commissioner.

25. The forfeiture of the deposit or resale of the contract or any other procedure adopted for collecting the contract amount will be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

Names of toll-gates and crosses.

1 Mysore Road Toll-Gates
2 Magadi Road do
3 Subedar Chatram Road Toll-Gate
4 Bellary Road Toll-Gate
5 Hosur Road do
6 Upparahalli Cart-track Toll-Gate
7 Kankanhalli Road do
8 Sampige Avenue Road do
9 Toll-Gate at the Thirakarpalya level crossing.
10 Halsoor Toll-Gate
11 Yelahanka Toll-Gate
12 Railway Station Toll-Gate
13 Goods Gate Toll-Gate
14 Upparahalli Cross
15 Hosur Cross
16 High Ground Ookad
17 Lal-bagh Road Cross
18 Hebbal Cross
19 Magadi Cross
20 Gavipur Cross
21 Mysore Cross
22 Ricky Cross

SCHEDULE B.

Class of property liable to tolls.— All vehicles and animals of the description given below entering the municipal limits provided that no more than one payment of toll shall be demanded in respect of any carriage or cart or animal in any one period of 24 hours.

Time at which taxes payable.— Before passing toll-gate.

Amount for which or rate at which the classes are liable:—

	Rs.	a.	p.
On every four wheeled vehicle with spring	0	4	0
,, two wheeled do	0	2	0
,, Cart, jutka, and other vehicles drawn by men, bulls, bullocks, horses, asses or mules (laden) ...	0	4	0
,, Do (not laden) ...	0	2	0
,, buffalo, bull, mule or bullocks laden ...	0	0	6
,, horses over 13 hands	0	1	0
,, horses under 13 hands	0	0	6
,, elephant	0	8	0
,, camel	0	1	0
,, bicycle or tricycle	0	2	0
,, motor car, motor bus, motor lorry	0	8	0
,, motor cycle	0	4	0
,, Rickshaw	0	4	0

Explanation—1. "Laden" An animal is not said to be laden when it is merely accounted for the purpose of being laden or ridden.

2. Tolls are leviable upon vehicles at the above rates irrespective of the means of traction employed, and the payment of tolls in respect of any vehicle covers the animals engaged in drawing it.

Exemptions (*a*) Carriages, carts and animals the property of or employed by Government or the Municipal Council of the City or of the Civil and Military Station or licensed or registered by the said Councils.

(b) Vehicles and animals (whether owned or hired) used for the passage of troops or the conveyance of Government Stores or any other Government property or property of His Highness the Maharaja or His Highness the Yuvaraja of Mysore.

(*c*) Vehicles and animals (whether owned or hired) used for the passage of Military or Police officers on duty or the conveyance or passage of any property or person in their custody.

SCHEDULE C.

RULES RELATING TO TOLLS IN FORCE FOR THE TIME BEING.

(*a*) A table of authorised tolls shall be legibly written in English and Kannada and shall be put in a conspicuous place near the toll-gate together with a copy of these rules.

(*b*) No toll shall be levied for the passage of troops or military stores or equipages or of Police Officers in uniform on duty or any person or property in their custody or of any property *bona fide* belonging to Government, the proof of which should be established by the production of a pass or certificate from any officer of the department to which the property belongs, such officers being duly authorised by the Deputy Commissioner or by Government to grant such certificate or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the cart or carriage conveying such property before it reaches the destination noted in such pass or certificate.

(*c*) No toll shall be levied for the passage of carriages or carts, etc., at any toll-gate if they belong to Government, the Bangalore City Municipal Council or the Civil and Military Station, Bangalore Municipality, the proof of which is to be established by the production of a certificate signed by an officer of Government, the Municipal Commissioner or by such officer as may be authorised by the Municipal Council and the Civil and Military Station Municipal President respectively.

(*d*) No toll shall be levied for the passage of carriages or carts, etc., if :—

(1) they belong to His Highness the Maharaja of Mysore or His Highness the Yuvaraja.
(2) they belong to the Hon'ble the British Resident in Mysore and his staff
(3) they belong to the Dewan of Mysore
(4) they are engaged by the Postal Department exclusively to carry mails
(5) they belong to a person who has compounded with the proper authorities in accordance with the rules framed by Government
(6) they convey British or Mysore Military Officers on duty

Note —To enable an officer to pass a Toll-Gate without payment as being "on duty" he must fulfil at least one of the following conditions :—

(i) be travelling in a staff car ;
(ii) wear uniform ;
(iii) be in possession of a pass issued by the Headquarters, Madras District, or the Chief Commandant, Mysore State Troops, as the case may be.

(7) they belong to the Heads of Mutts who hold a Rahadari issued by competen authority.
(8) they belong to officers and subordinates of the Public Works Department below the grade of Executive Engineer, when they travel on duty within their jurisdiction.
(9) the contractor should arrange at his own cost for the provision of danger lights at least 100 yards on either side of the toll-gates.

Notice dated 22nd March 1933.

Notice is hereby given that sealed tenders for the privilege of collecting tolls for one year from 1st July 1933 to 30th June 1934 on vehicles and animals, entering the Bangalore City through the Munireddipalya Toll-Gate, noted in Schedule B attached to this Office Notification dated 22nd March 1933 calling for tenders for the right to collect toll at other gates will be received by the Municipal Commissioner in the Municipal Office on 17th May 1933 from 12 noon to 4 P.M.

2. Tenderers are required to deposit along with their tender a sum of Rs. 800 in cash or currency notes. The deposit of the successful tenderer who will be called the contractor will be returned only on fulfilment of the contract. The deposit of the remaining tenderers will be returned soon after the disposal of the tenders.

3. For other conditions see conditions Nos. 3 to 23 both inclusive of this Office Notification dated 22nd March 1933 referred to above.

P. H. KRISHNA RAO,
Municipal Commissioner,

MADHUGIRI SUB-DIVISION.

Notification No. A1.—*Gl.* 4910—32-33, *dated 24th April* 1933.

Under Section 17 of the Mysore Village Panchayet Regulation, Mr. Dasappa who is Elected as Panchayet Member is appointed as Panchayet Chairman of Pennobanahalli Village, Hulikunte Hobli, Sira Taluk, in place of Mr Ramappa, deceased.